

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RECEIVED
SDNY PRO SE OFFICE
NOV 30 PM 12:01

PHILLIP JEROME GARDNER
NYSID# 4961825P

Write the full name of each plaintiff.

No. _____

(To be filled out by Clerk's Office)

-against-

THE STATE OF NEW YORK
MS. KATHY HOCHUL
DR. CARL J. KOEIGSMAN
MEDICAL CHIEF OFFICER

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

COMPLAINT

(Prisoner)

Do you want a jury trial?

☒ Yes ☐ No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

PHILLIP J. GARDNER
First Name Middle Initial Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

00-A-1955 NYSID #4961825P

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

GREEN HAVEN CORRECTIONAL FACILITY

Current Place of Detention

P.O. Box 4000

Institutional Address

STORMVILLE NY 12582-4000
County, City State Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

- ☐ Pretrial detainee
☐ Civilly committed detainee
☐ Immigration detainee
☒ Convicted and sentenced prisoner
☐ Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

MS. KATHY HOCHUL
 First Name Last Name Shield #
 GOVERNOR
 Current Job Title (or other identifying information)
 Current Work Address
 UNKNOWN
 County, City State Zip Code

Defendant 2:

DR. CARL J. KOREIGSMAN
 First Name Last Name Shield #
 MEDICAL CHIEF OFFICER
 Current Job Title (or other identifying information)
 Current Work Address
 1220 WASHINGTON AVENUE
 County, City State Zip Code

Defendant 3:

ALBANY NY 12226-2050
 First Name Last Name Shield #

Current Job Title (or other identifying information)

Current Work Address

County, City State Zip Code

Defendant 4:

First Name Last Name Shield #

Current Job Title (or other identifying information)

Current Work Address

County, City State Zip Code

V. STATEMENT OF CLAIM

Place(s) of occurrence: IN PRISON

Date(s) of occurrence: 2020

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

I HAD A CATARACT IN MY LEFT EYE EVER SINCE 2000.

I HAD A CONSULTATION IN MY MEDICAL RECORDS SINCE 2000 FOR LASER SURGERY TO REMOVE A CATARACT IN MY LEFT EYE WHICH NEVER HAPPENED AND I'M NOW BLIND IN MY LEFT EYE AND I'M GOING BLIND IN MY RIGHT EYE DUE TO NOT RECEIVING MY CORRECT DIABETIC CARE.

MY PUPIL IN MY LEFT EYE IS NOW GRAY WHICH SUPPOSE TO BE BROWN LIKE MY RIGHT EYE. I AM IN THE CUSTODY OF THE STATE OF NEW YORK AND I SENT DR. CARL J. KOEGSMAN NOTARIZED AFFIDAVIT OF COMPLAINTS COMPLAINING ABOUT MY EYES.

I CAN'T JUST WALK INTO A HOSPITAL LIKE IF I WAS IN SOCIETY. I WENT TO SICK CALL PLENTY OF TIMES COMPLAINING ABOUT MY EYES.

THIS IS NEGLIGENCE AND DELEBRATE INDIFFERENCE. AND DISCRIMINATION OF MY DISABILITY. I HAVE A MENTAL ILLNESS.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

BLIND IN LEFT EYE
I REQUIRED LASER SURGERY.

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

500 million
AND PUNITIVE DAMAGES

I ALSO NEED AN ATTORNEY OR LAW FIRM TO REPRESENT ME IN THIS LAWSUIT. I DON'T WANT ANY PRO-BONO ATTORNEY. I'M WILLING TO PAY THE ATTORNEY 33% OUT OF THE WINNINGS.

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

11-18-21
 Dated
 Phillip J. Gardner
 Plaintiff's Signature
 PHILLIP J. GARDNER
 First Name Middle Initial Last Name
 P.O. Box 4000
 Prison Address
 STORMVILLE NY 12582-4000
 County, City State Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: _____

Lawsuits Filing Fees

08/06/21

SLOC010

LOCATOR SYSTEM

FPMS

PAGE 001

CHRONOLOGICAL HISTORY DISPLAY

08 GRN HAVN GEN

DIN 00A1955

NYSID 04961825P

FACILITY GRN HAVN ICP

LOCATION 0J-05-006

NAME GARDNER, PHILLIP

DOB 11/01/64

SEX M E/R NB

| EFFECTIVE DATE | DATE ENTERED | SENDING FACILITY | RECEIVING FAC/ OUTCOUNT LOCATION | TRANSACTION TYPE | CELL |
|----------------|--------------|------------------|----------------------------------|------------------|------|
|----------------|--------------|------------------|----------------------------------|------------------|------|

| | | | | | |
|----------|----------|--------------|--------------|--------------|-----------|
| 04/12/00 | 04/12/00 | | DWNSTATE REC | NEW COMMIT | 03-0G-007 |
| 09/06/00 | 09/06/00 | DWNSTATE REC | GRN HAVN GEN | TRANSFER OUT | 01-0C-004 |
| 09/06/00 | 09/06/00 | DWNSTATE REC | GRN HAVN GEN | TRANSFER IN | 0J-01-025 |
| 06/22/04 | 06/22/04 | GRN HAVN GEN | ATTICA GEN | TRANSFER OUT | 0A-63-69S |
| 06/22/04 | 06/22/04 | GRN HAVN GEN | AUBURN DEPOT | INTRANS RECV | 0D-08-23B |
| 06/23/04 | 06/23/04 | AUBURN DEPOT | ATTICA GEN | INTRANS SENT | 0D-08-23B |
| 06/23/04 | 06/23/04 | GRN HAVN GEN | ATTICA GEN | TRANSFER IN | 0B-14-18S |
| 08/09/05 | 08/09/05 | ATTICA GEN | SING SING GN | TRANSFER OUT | 0D-42-42S |
| 08/09/05 | 08/09/05 | ATTICA GEN | AUBURN DEPOT | INTRANS RECV | 0D-08-44B |
| 08/11/05 | 08/11/05 | AUBURN DEPOT | SING SING GN | INTRANS SENT | 0D-08-44B |
| 08/11/05 | 08/11/05 | AUBURN DEPOT | DWNSTATE REC | INTRANS RECV | 02-0B-020 |
| 08/15/05 | 08/15/05 | DWNSTATE REC | SING SING GN | INTRANS SENT | 02-0B-020 |
| 08/15/05 | 08/15/05 | ATTICA GEN | SING SING GN | TRANSFER IN | 05-0A-09S |
| 12/05/05 | 12/05/05 | SING SING GN | SINGSING ICP | TRANSFER IN | 05-0D-58S |
| 01/19/06 | 01/19/06 | SINGSING ICP | SULLIVAN ICP | TRANSFER OUT | 05-0D-58S |
| 01/19/06 | 01/19/06 | SINGSING ICP | SULLIVAN ICP | TRANSFER IN | 0E-N1-50S |
| 03/08/06 | 03/08/06 | SULLIVAN ICP | SULLIVAN | INTRANS SENT | 0E-N1-50S |
| 03/08/06 | 03/08/06 | SULLIVAN ICP | SULLIVAN | INTRANS RECV | HS-WD-B02 |
| 03/09/06 | 03/09/06 | SULLIVAN | SULLIVAN ICP | INTRANS SENT | HS-WD-B02 |
| 03/09/06 | 03/09/06 | SULLIVAN | SULLIVAN ICP | INTRANS RECV | 0E-N1-50S |
| 04/28/06 | 04/28/06 | SULLIVAN ICP | SULLIVAN | INTRANS SENT | 0E-N1-50S |
| 04/28/06 | 04/28/06 | SULLIVAN ICP | SULLIVAN | INTRANS RECV | HS-WD-C01 |
| 05/02/06 | 05/02/06 | SULLIVAN | SULLIVAN ICP | INTRANS SENT | HS-WD-C01 |
| 05/02/06 | 05/02/06 | SULLIVAN | SULLIVAN ICP | INTRANS RECV | 0E-N1-50S |
| 08/01/06 | 08/01/06 | SULLIVAN ICP | SULLIVAN | INTRANS SENT | 0E-N1-50S |
| 08/01/06 | 08/01/06 | SULLIVAN ICP | SULLIVAN ICP | INTRANS RECV | 0E-N1-50S |
| 08/01/06 | 08/01/06 | SULLIVAN ICP | SULLIVAN | INTRANS SENT | 0E-N1-50S |
| 08/01/06 | 08/01/06 | SULLIVAN ICP | SULLIVAN | INTRANS RECV | MH-0B-001 |
| 08/07/06 | 08/07/06 | SULLIVAN | SULLIVAN ICP | INTRANS SENT | HS-IO-001 |
| 08/07/06 | 08/07/06 | SULLIVAN | SULLIVAN ICP | INTRANS RECV | 0E-N1-50S |
| 08/09/06 | 08/09/06 | SULLIVAN ICP | SULLIVAN | INTRANS SENT | 0E-N1-50S |
| 08/09/06 | 08/09/06 | SULLIVAN ICP | SULLIVAN | INTRANS RECV | HS-WD-B04 |
| 08/10/06 | 08/10/06 | SULLIVAN | SULLIVAN ICP | INTRANS SENT | HS-WD-B04 |
| 08/10/06 | 08/10/06 | SULLIVAN | SULLIVAN ICP | INTRANS RECV | 0E-N1-50S |
| 10/04/06 | 10/04/06 | SULLIVAN ICP | SULLIVAN | INTRANS SENT | 0E-N1-50S |
| 10/04/06 | 10/04/06 | SULLIVAN ICP | SULLIVAN | INTRANS RECV | MH-0B-001 |
| 10/12/06 | 10/12/06 | SULLIVAN | SULLIVAN ICP | INTRANS SENT | HS-IO-001 |
| 10/12/06 | 10/12/06 | SULLIVAN | SULLIVAN ICP | INTRANS RECV | 0E-N1-50S |
| 10/26/06 | 10/26/06 | SULLIVAN ICP | SULLIVAN | INTRANS SENT | 0E-N1-50S |
| 10/26/06 | 10/26/06 | SULLIVAN ICP | SULLIVAN | INTRANS RECV | HS-IO-003 |
| 10/30/06 | 10/30/06 | SULLIVAN | SULLIVAN ICP | INTRANS SENT | HS-IO-003 |
| 10/30/06 | 10/30/06 | SULLIVAN | SULLIVAN ICP | INTRANS RECV | 0E-N1-50S |
| 11/01/06 | 11/01/06 | SULLIVAN ICP | SULLIVAN | INTRANS SENT | 0E-N1-50S |
| 11/01/06 | 11/01/06 | SULLIVAN ICP | SULLIVAN | INTRANS RECV | SH-UU-262 |
| 12/05/06 | 12/05/06 | SULLIVAN | SULLIVAN ICP | INTRANS SENT | SH-UU-262 |
| 12/05/06 | 12/05/06 | SULLIVAN | SULLIVAN ICP | INTRANS RECV | 0E-N1-50S |
| 03/27/07 | 03/27/07 | SULLIVAN ICP | SULLIVAN | INTRANS SENT | 0E-N1-50S |
| 03/27/07 | 03/27/07 | SULLIVAN ICP | SULLIVAN | INTRANS RECV | HS-WD-A03 |
| 03/28/07 | 03/28/07 | SULLIVAN | SULLIVAN ICP | INTRANS SENT | HS-WD-A03 |
| 03/28/07 | 03/28/07 | SULLIVAN | SULLIVAN ICP | INTRANS RECV | 0E-N1-50S |

NOTE: THIS REPORT WAS RECONSTRUCTED USING HISTORICAL INMATE MOVEMENT DATA FROM COMPUTER RECORDS, AND IS ONLY AS ACCURATE AS IT WAS MAINTAINED BY THE FACILITY FOR THIS TIME PERIOD.

08/06/21

SLOC010

LOCATOR SYSTEM

FPMS

PAGE 002

CHRONOLOGICAL HISTORY DISPLAY

08 GRN HAVN GEN

DIN 00A1955

NYSID 04961825P

FACILITY GRN HAVN ICP

LOCATION 0J-05-006

NAME GARDNER, PHILLIP

DOB 11/01/64

SEX M

E/R NB

| EFFECTIVE DATE | DATE ENTERED | SENDING FACILITY | RECEIVING FAC/ OUTCOUNT LOCATION | TRANSACTION TYPE | CELL |
|-------------------|-----------------|---------------------|-------------------------------------|---------------------|-----------|
| 12/27/07 | 12/27/07 | SULLIVAN ICP | GRT MEAD GEN | TRANSFER OUT | 0E-N1-50S |
| 12/27/07 | 12/27/07 | SULLIVAN ICP | DWNSTATE REC | INTRANS RECV | 01-0F-006 |
| 12/31/07 | 12/31/07 | DWNSTATE REC | GRT MEAD GEN | INTRANS SENT | 02-0B-020 |
| 12/31/07 | 12/31/07 | SULLIVAN ICP | GRT MEAD GEN | TRANSFER IN | 0E-08-27S |
| 02/15/08 | 02/15/08 | GRT MEAD GEN | SING SING GN | INTRANS SENT | 0A-2W-31S |
| 02/15/08 | 02/15/08 | GRT MEAD GEN | DWNSTATE REC | INTRANS RECV | 03-0B-022 |
| 02/19/08 | 02/19/08 | DWNSTATE REC | SING SING GN | INTRANS SENT | 03-0B-022 |
| 02/19/08 | 02/19/08 | DWNSTATE REC | SING SING GN | INTRANS RECV | 05-0A-11S |
| 02/20/08 | 02/20/08 | SING SING GN | NEW YORK | COURT TRIP | 05-0A-11S |
| 03/11/08 | 03/11/08 | | SING SING GN | OUTCOUNT RET | 05-0A-16S |
| 04/03/08 | 04/03/08 | SING SING GN | GRT MEAD GEN | INTRANS SENT | 05-0A-03S |
| 04/03/08 | 04/03/08 | SING SING GN | DWNSTATE REC | INTRANS RECV | 03-0G-032 |
| 04/04/08 | 04/04/08 | DWNSTATE REC | GRT MEAD GEN | INTRANS SENT | 03-0G-032 |
| 04/04/08 | 04/04/08 | DWNSTATE REC | GRT MEAD GEN | INTRANS RECV | 0E-08-14S |
| 04/16/08 | 04/16/08 | GRT MEAD GEN | GRT MEAD ICP | INTRANS SENT | 0B-8E-31S |
| 04/16/08 | 04/16/08 | GRT MEAD GEN | GRT MEAD ICP | INTRANS RECV | 0D-8W-30S |
| 05/07/08 | 05/07/08 | GRT MEAD GEN | GRT MEAD ICP | TRANSFER IN | 0D-8W-30S |
| 12/10/08 | 12/10/08 | GRT MEAD ICP | GRT MEAD GEN | INTRANS SENT | 0D-8W-30S |
| 12/10/08 | 12/10/08 | GRT MEAD ICP | GRT MEAD GEN | INTRANS RECV | MH-0B-002 |
| 12/12/08 | 12/12/08 | GRT MEAD GEN | GRT MEAD ICP | INTRANS SENT | MH-0B-002 |
| 12/12/08 | 12/12/08 | GRT MEAD GEN | GRT MEAD ICP | INTRANS RECV | 0D-8W-30S |
| 01/19/10 | 01/19/10 | GRT MEAD ICP | GRT MEAD GEN | INTRANS SENT | 0D-6W-23S |
| 01/19/10 | 01/19/10 | GRT MEAD ICP | GRT MEAD GEN | INTRANS RECV | HS-IN-W1B |
| 01/21/10 | 01/21/10 | GRT MEAD GEN | GRT MEAD ICP | INTRANS SENT | HS-IN-W1B |
| 01/21/10 | 01/21/10 | GRT MEAD GEN | GRT MEAD ICP | INTRANS RECV | 0D-6W-23S |
| 05/18/10 | 05/18/10 | GRT MEAD ICP | GRN HAVN ICP | TRANSFER OUT | 0D-6W-23S |
| 05/18/10 | 05/18/10 | GRT MEAD ICP | GRN HAVN ICP | TRANSFER IN | 0J-05-018 |
| 09/21/10 | 09/21/10 | GRN HAVN ICP | GRN HAVN ICP | INTRANS SENT | 0J-05-018 |
| 09/21/10 | 09/21/10 | GRN HAVN ICP | GRN HAVN ICP | INTRANS RECV | 0J-06-014 |
| 04/18/11 | 04/18/11 | GRN HAVN ICP | GRN HAVN GEN | INTRANS SENT | AV-02-E07 |
| 04/18/11 | 04/18/11 | GRN HAVN ICP | GRN HAVN GEN | INTRANS RECV | 0A-01-108 |
| 07/25/11 | 07/25/11 | GRN HAVN ICP | SINGSING ICP | TRANSFER OUT | 0A-01-101 |
| 07/25/11 | 07/25/11 | GRN HAVN ICP | SINGSING ICP | TRANSFER IN | 05-0D-35S |
| 09/02/11 | 09/02/11 | SINGSING ICP | SING SING GN | INTRANS SENT | 05-0D-35S |
| 09/02/11 | 09/02/11 | SINGSING ICP | SING SING GN | INTRANS RECV | MH-0B-005 |
| 09/13/11 | 09/13/11 | SING SING GN | SINGSING ICP | INTRANS SENT | MH-0B-005 |
| 09/13/11 | 09/13/11 | SING SING GN | SINGSING ICP | INTRANS RECV | 05-0D-35S |
| 09/19/11 | 09/19/11 | SINGSING ICP | AUBURN ICP | TRANSFER OUT | 05-0D-35S |
| 09/19/11 | 09/19/11 | SINGSING ICP | DWNSTATE REC | INTRANS RECV | 01-0F-011 |
| 09/20/11 | 09/20/11 | DWNSTATE REC | AUBURN ICP | INTRANS SENT | 01-0F-011 |
| 09/20/11 | 09/20/11 | SINGSING ICP | AUBURN ICP | TRANSFER IN | 0E-06-025 |
| 03/16/12 | 03/16/12 | AUBURN ICP | AUBURN GENER | TRANSFER IN | 0E-03-25S |
| 08/20/12 | 08/20/12 | AUBURN GENER | WENDE ICP | TRANSFER OUT | 0D-06-22S |
| 08/20/12 | 08/20/12 | AUBURN GENER | WENDE ICP | TRANSFER IN | MH-02-B01 |
| 02/05/13 | 02/05/13 | WENDE ICP | ATTICA ICP | TRANSFER OUT | MH-02-C04 |
| 02/05/13 | 02/05/13 | WENDE ICP | ATTICA ICP | TRANSFER IN | 0A-03-32S |
| 02/05/13 | 02/05/13 | ATTICA ICP | ATTICA GEN | INTRANS SENT | 0A-03-32S |
| 02/05/13 | 02/05/13 | ATTICA ICP | ATTICA GEN | INTRANS RECV | H2-12-I01 |
| 02/07/13 | 02/07/13 | ATTICA GEN | ATTICA ICP | INTRANS SENT | MH-0B-004 |
| 02/07/13 | 02/07/13 | ATTICA GEN | ATTICA ICP | INTRANS RECV | 0A-03-32S |

NOTE: THIS REPORT WAS RECONSTRUCTED USING HISTORICAL INMATE MOVEMENT DATA FROM COMPUTER RECORDS, AND IS ONLY AS ACCURATE AS IT WAS MAINTAINED BY THE FACILITY FOR THIS TIME PERIOD.

08/06/21

SLOC010

LOCATOR SYSTEM

FPMS

PAGE 003

CHRONOLOGICAL HISTORY DISPLAY

08 GRN HAVN GEN

DIN 00A1955

NYSID 04961825P

FACILITY GRN HAVN ICP

LOCATION 0J-05-006

NAME GARDNER, PHILLIP

DOB 11/01/64

SEX M

E/R NB

| EFFECTIVE DATE | DATE ENTERED | SENDING FACILITY | RECEIVING FAC/ OUTCOUNT LOCATION | TRANSACTION TYPE | CELL |
|-------------------|-----------------|---------------------|-------------------------------------|---------------------|-----------|
| 03/08/13 | 03/08/13 | ATTICA ICP | ATTICA GEN | INTRANS SENT | 0A-03-32S |
| 03/08/13 | 03/08/13 | ATTICA ICP | ATTICA GEN | INTRANS RECV | RB-CW-010 |
| 03/29/13 | 03/29/13 | ATTICA ICP | ATTICA RMHU | TRANSFER OUT | RB-CW-010 |
| 03/29/13 | 03/29/13 | ATTICA ICP | ATTICA RMHU | TRANSFER IN | RB-BN-010 |
| 04/08/13 | 04/08/13 | ATTICA RMHU | ATTICA GEN | INTRANS SENT | RB-BN-010 |
| 04/08/13 | 04/08/13 | ATTICA RMHU | ATTICA GEN | INTRANS RECV | H2-13-I02 |
| 04/10/13 | 04/10/13 | ATTICA GEN | ATTICA RMHU | INTRANS SENT | H2-13-I02 |
| 04/10/13 | 04/10/13 | ATTICA GEN | ATTICA RMHU | INTRANS RECV | RB-BN-010 |
| 05/26/13 | 05/26/13 | ATTICA RMHU | ATTICA GEN | INTRANS SENT | RB-BN-010 |
| 05/26/13 | 05/26/13 | ATTICA RMHU | ATTICA GEN | INTRANS RECV | MH-OB-006 |
| 05/30/13 | 05/30/13 | ATTICA GEN | ATTICA RMHU | INTRANS SENT | MH-OB-006 |
| 05/30/13 | 05/30/13 | ATTICA GEN | ATTICA RMHU | INTRANS RECV | RB-BN-010 |
| 05/31/13 | 05/31/13 | ATTICA RMHU | ATTICA GEN | INTRANS SENT | RB-BN-010 |
| 05/31/13 | 06/03/13 | ATTICA RMHU | ATTICA GEN | INTRANS RECV | MH-OB-005 |
| 06/24/13 | 06/24/13 | ATTICA GEN | ATTICA RMHU | INTRANS SENT | H2-12-I01 |
| 06/24/13 | 06/24/13 | ATTICA GEN | ATTICA RMHU | INTRANS RECV | RB-BN-007 |
| 07/26/13 | 07/26/13 | ATTICA RMHU | ATTICA GEN | INTRANS SENT | RB-BN-007 |
| 07/26/13 | 07/26/13 | ATTICA RMHU | ATTICA GEN | INTRANS RECV | H2-13-I02 |
| 08/02/13 | 08/02/13 | ATTICA GEN | ATTICA RMHU | INTRANS SENT | MH-OB-009 |
| 08/02/13 | 08/02/13 | ATTICA GEN | ATTICA RMHU | INTRANS RECV | RB-BN-007 |
| 08/31/13 | 08/31/13 | ATTICA RMHU | ATTICA GEN | INTRANS SENT | RB-BN-007 |
| 08/31/13 | 08/31/13 | ATTICA RMHU | ATTICA GEN | INTRANS RECV | H2-12-I01 |
| 09/03/13 | 09/03/13 | ATTICA GEN | 0210 | OUTSIDE HOSP | H2-12-I01 |
| 09/10/13 | 09/10/13 | | ATTICA GEN | OUTCOUNT RET | H2-13-I02 |
| 11/06/13 | 11/06/13 | ATTICA GEN | ATTICA RMHU | INTRANS SENT | H2-14-S03 |
| 11/06/13 | 11/06/13 | ATTICA GEN | ATTICA RMHU | INTRANS RECV | RB-BN-002 |
| 02/28/14 | 02/28/14 | ATTICA RMHU | ATTICA GEN | INTRANS SENT | RB-BN-002 |
| 02/28/14 | 02/28/14 | ATTICA RMHU | ATTICA GEN | INTRANS RECV | H2-13-I02 |
| 03/03/14 | 03/03/14 | ATTICA GEN | WENDE RMU | INTRANS SENT | H2-13-I02 |
| 03/03/14 | 03/04/14 | ATTICA GEN | WENDE | INTRANS RECV | MH-OB-004 |
| 03/06/14 | 03/06/14 | WENDE | ATTICA GEN | INTRANS SENT | MH-OB-004 |
| 03/06/14 | 03/06/14 | WENDE | ATTICA RMHU | INTRANS RECV | RB-BN-002 |
| 05/05/14 | 05/05/14 | ATTICA RMHU | FIVE PT RMHU | TRANSFER OUT | RB-BN-002 |
| 05/05/14 | 05/05/14 | ATTICA RMHU | AUBURN DEPOT | INTRANS RECV | 0D-08-14B |
| 05/06/14 | 05/06/14 | AUBURN DEPOT | FIVE PT RMHU | INTRANS SENT | 0D-08-14B |
| 05/06/14 | 05/06/14 | ATTICA RMHU | FIVE PT RMHU | TRANSFER IN | 77-0D-009 |
| 05/09/14 | 05/09/14 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-009 |
| 05/09/14 | 05/09/14 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R06 |
| 05/15/14 | 05/15/14 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | HS-00-R06 |
| 05/15/14 | 05/15/14 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | 77-0D-009 |
| 05/17/14 | 05/17/14 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-009 |
| 05/17/14 | 05/17/14 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R05 |
| 05/20/14 | 05/20/14 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | MH-00-I03 |
| 05/20/14 | 05/20/14 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | 77-0D-009 |
| 06/02/14 | 06/02/14 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-009 |
| 06/02/14 | 06/02/14 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | MH-00-I01 |
| 06/04/14 | 06/04/14 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | MH-00-I01 |
| 06/04/14 | 06/04/14 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | 77-0D-009 |
| 09/04/14 | 09/04/14 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-009 |
| 09/04/14 | 09/04/14 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R05 |

NOTE: THIS REPORT WAS RECONSTRUCTED USING HISTORICAL INMATE MOVEMENT DATA FROM COMPUTER RECORDS, AND IS ONLY AS ACCURATE AS IT WAS MAINTAINED BY THE FACILITY FOR THIS TIME PERIOD.

08/06/21

SLOC010

LOCATOR SYSTEM

FPMS

PAGE 004

CHRONOLOGICAL HISTORY DISPLAY

08 GRN HAVN GEN

DIN 00A1955 NYSID 04961825P FACILITY GRN HAVN ICP LOCATION 0J-05-006
 NAME GARDNER, PHILLIP DOB 11/01/64 SEX M E/R NB

| EFFECTIVE DATE | DATE ENTERED | SENDING FACILITY | RECEIVING FAC/ OUTCOUNT LOCATION | TRANSACTION TYPE | CELL |
|-------------------|-----------------|---------------------|-------------------------------------|---------------------|-----------|
| 09/12/14 | 09/12/14 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | HS-00-R05 |
| 09/12/14 | 09/12/14 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | 77-0D-009 |
| 11/12/14 | 11/12/14 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-009 |
| 11/12/14 | 11/12/14 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R08 |
| 11/24/14 | 11/24/14 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | HS-00-R06 |
| 11/24/14 | 11/24/14 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | 77-0D-009 |
| 12/09/14 | 12/09/14 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | MH-00-I06 |
| 12/09/14 | 12/09/14 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R06 |
| 12/12/14 | 12/12/14 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | HS-00-R06 |
| 12/12/14 | 12/12/14 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | MH-00-I05 |
| 12/19/14 | 12/19/14 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | MH-00-I05 |
| 12/19/14 | 12/19/14 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R06 |
| 12/30/14 | 12/30/14 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | HS-00-R06 |
| 12/30/14 | 12/30/14 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | 77-0D-009 |
| 12/31/14 | 12/31/14 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-009 |
| 12/31/14 | 12/31/14 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R06 |
| 01/12/15 | 01/12/15 | FIVE POINTS | | DISCH TO OMH | MH-00-I03 |
| 04/07/15 | 04/07/15 | | FIVE PT RMHU | OMH NO NT | 77-0D-015 |
| 04/07/15 | 04/07/15 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-015 |
| 04/07/15 | 04/07/15 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R05 |
| 04/09/15 | 04/09/15 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | HS-00-R05 |
| 04/09/15 | 04/09/15 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | MH-00-I06 |
| 04/14/15 | 04/14/15 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | MH-00-I06 |
| 04/14/15 | 04/14/15 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R05 |
| 05/26/15 | 05/26/15 | FIVE PT RMHU | GRT MEAD BHU | TRANSFER OUT | MH-00-I03 |
| 05/26/15 | 05/27/15 | FIVE PT RMHU | GRT MEAD BHU | TRANSFER IN | BH-02-C07 |
| 07/03/15 | 07/03/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS SENT | BH-02-A06 |
| 07/03/15 | 07/03/15 | GRT MEAD BHU | GRT MEAD BHU | INTRANS RECV | HS-IN-IS1 |
| 07/15/15 | 07/15/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS SENT | HS-IN-IS7 |
| 07/15/15 | 07/15/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS RECV | BH-02-A06 |
| 07/15/15 | 07/15/15 | GRT MEAD BHU | 0001 | OUTSIDE HOSP | BH-02-A06 |
| 07/16/15 | 07/17/15 | | GRT MEAD BHU | OUTCOUNT RET | BH-02-A06 |
| 07/16/15 | 07/17/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS SENT | BH-02-A06 |
| 07/16/15 | 07/17/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS RECV | HS-IN-IS7 |
| 07/21/15 | 07/21/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS SENT | HS-IN-IS7 |
| 07/21/15 | 07/21/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS RECV | BH-02-A06 |
| 08/18/15 | 08/19/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS SENT | BH-02-A06 |
| 08/18/15 | 08/19/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS RECV | HS-IN-IS1 |
| 08/22/15 | 08/23/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS SENT | HS-IN-IS1 |
| 08/22/15 | 08/23/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS RECV | BH-02-A06 |
| 08/22/15 | 08/23/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS SENT | BH-02-A06 |
| 08/22/15 | 08/23/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS RECV | HS-IN-IS4 |
| 08/24/15 | 08/25/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS SENT | HS-IN-IS4 |
| 08/24/15 | 08/25/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS RECV | BH-02-A06 |
| 08/24/15 | 08/25/15 | GRT MEAD BHU | 0001 | OUTSIDE HOSP | BH-02-A06 |
| 08/27/15 | 08/28/15 | | GRT MEAD BHU | OUTCOUNT RET | BH-02-A06 |
| 08/27/15 | 08/28/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS SENT | BH-02-A06 |
| 08/27/15 | 08/28/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS RECV | HS-IN-IS2 |
| 09/04/15 | 09/05/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS SENT | HS-IN-IS2 |
| 09/04/15 | 09/05/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS RECV | BH-02-A06 |

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 FACILITY FOR THIS TIME PERIOD.

08/06/21

SLOC010

LOCATOR SYSTEM

FPM

PAGE 005

CHRONOLOGICAL HISTORY DISPLAY

08 GRN HAVN GEN

DIN 00A1955

NYSID 04961825P

FACILITY GRN HAVN ICP

LOCATION 0J-05-006

NAME GARDNER, PHILLIP

DOB 11/01/64

SEX M

E/R NB

| EFFECTIVE DATE | DATE ENTERED | SENDING FACILITY | RECEIVING FAC/ OUTCOUNT LOCATION | TRANSACTION TYPE | CELL |
|-------------------|-----------------|---------------------|-------------------------------------|---------------------|-----------|
| 12/04/15 | 12/04/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS SENT | BH-02-C06 |
| 12/04/15 | 12/04/15 | GRT MEAD BHU | GRT MEAD GEN | INTRANS RECV | HS-IN-IS1 |
| 12/14/15 | 12/14/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS SENT | HS-IN-IS7 |
| 12/14/15 | 12/14/15 | GRT MEAD GEN | GRT MEAD BHU | INTRANS RECV | BH-02-C06 |
| 02/23/16 | 02/23/16 | GRT MEAD BHU | GRT MEAD GEN | INTRANS SENT | BH-02-C06 |
| 02/23/16 | 02/23/16 | GRT MEAD BHU | GRT MEAD GEN | INTRANS RECV | HS-IN-IS2 |
| 02/29/16 | 02/29/16 | GRT MEAD GEN | GRT MEAD BHU | INTRANS SENT | HS-IN-IS2 |
| 02/29/16 | 02/29/16 | GRT MEAD GEN | GRT MEAD BHU | INTRANS RECV | BH-02-C06 |
| 03/08/16 | 03/08/16 | GRT MEAD BHU | MARCY RMHU | TRANSFER OUT | BH-02-C06 |
| 03/08/16 | 03/08/16 | GRT MEAD BHU | DWNSTATE REC | INTRANS RECV | SH-1E-035 |
| 03/10/16 | 03/10/16 | DWNSTATE REC | MARCY RMHU | INTRANS SENT | SH-1E-035 |
| 03/10/16 | 03/10/16 | GRT MEAD BHU | MARCY RMHU | TRANSFER IN | RM-A1-010 |
| 07/03/16 | 07/03/16 | MARCY RMHU | ELMIRA GENER | INTRANS SENT | RM-A2-036 |
| 07/03/16 | 07/03/16 | MARCY RMHU | ELMIRA GENER | INTRANS RECV | HS-IS-I21 |
| 07/06/16 | 07/06/16 | ELMIRA GENER | MARCY | INTRANS SENT | HS-IS-I21 |
| 07/06/16 | 07/06/16 | ELMIRA GENER | MARCY RMHU | INTRANS RECV | RM-A2-036 |
| 07/14/16 | 07/14/16 | MARCY RMHU | ELMIRA GENER | INTRANS SENT | RM-A2-036 |
| 07/14/16 | 07/14/16 | MARCY RMHU | ELMIRA GENER | INTRANS RECV | HS-IS-E17 |
| 07/18/16 | 07/18/16 | ELMIRA GENER | MARCY RMHU | INTRANS SENT | HS-IS-E17 |
| 07/18/16 | 07/18/16 | ELMIRA GENER | MARCY RMHU | INTRANS RECV | RM-A1-008 |
| 08/16/16 | 08/16/16 | MARCY RMHU | WENDE ICP | TRANSFER OUT | RM-A1-008 |
| 08/16/16 | 08/16/16 | MARCY RMHU | DWNSTATE REC | INTRANS RECV | 01-0D-029 |
| 08/18/16 | 08/18/16 | DWNSTATE REC | WENDE ICP | INTRANS SENT | 01-0D-029 |
| 08/18/16 | 08/19/16 | MARCY RMHU | WENDE ICP | TRANSFER IN | MH-02-B08 |
| 01/24/17 | 01/24/17 | WENDE ICP | FIVE PT RMHU | TRANSFER OUT | MH-02-D02 |
| 01/24/17 | 01/24/17 | WENDE ICP | AUBURN DEPOT | INTRANS RECV | 0D-08-14B |
| 01/26/17 | 01/26/17 | AUBURN DEPOT | FIVE PT RMHU | INTRANS SENT | 0D-08-14B |
| 01/26/17 | 01/26/17 | WENDE ICP | FIVE PT RMHU | TRANSFER IN | 77-0D-002 |
| 02/06/17 | 02/06/17 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-002 |
| 02/06/17 | 02/06/17 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R06 |
| 02/21/17 | 02/21/17 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | HS-00-R04 |
| 02/21/17 | 02/21/17 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | 77-0D-002 |
| 04/17/17 | 04/17/17 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-002 |
| 04/17/17 | 04/17/17 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R03 |
| 04/27/17 | 04/27/17 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | HS-00-R03 |
| 04/27/17 | 04/27/17 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | 77-0D-002 |
| 06/20/17 | 06/20/17 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-002 |
| 06/20/17 | 06/20/17 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | HS-00-R06 |
| 06/27/17 | 06/27/17 | FIVE POINTS | FIVE PT RMHU | INTRANS SENT | HS-00-R06 |
| 06/27/17 | 06/27/17 | FIVE POINTS | FIVE PT RMHU | INTRANS RECV | 77-0D-002 |
| 10/05/17 | 10/05/17 | FIVE PT RMHU | FIVE POINTS | INTRANS SENT | 77-0D-002 |
| 10/05/17 | 10/05/17 | FIVE PT RMHU | FIVE POINTS | INTRANS RECV | MH-00-I01 |
| 12/13/17 | 12/13/17 | FIVE POINTS | | DISCH TO OMH | MH-00-I01 |
| 04/18/18 | 04/18/18 | | WENDE | OMH NO NT | 0E-30-005 |
| 04/19/18 | 04/19/18 | WENDE | WENDE ICP | INTRANS SENT | 0E-30-005 |
| 04/19/18 | 04/19/18 | WENDE | WENDE ICP | INTRANS RECV | MH-02-B03 |
| 04/24/18 | 04/24/18 | WENDE | WENDE ICP | TRANSFER IN | MH-02-B03 |
| 07/30/18 | 07/30/18 | WENDE ICP | GRN HAVN ICP | TRANSFER OUT | MH-02-D01 |
| 07/30/18 | 07/30/18 | WENDE ICP | AUBURN DEPOT | INTRANS RECV | 0D-08-14B |
| 07/31/18 | 07/31/18 | AUBURN DEPOT | GRN HAVN ICP | INTRANS SENT | 0D-08-14B |

NOTE: THIS REPORT WAS RECONSTRUCTED USING HISTORICAL INMATE MOVEMENT DATA FROM COMPUTER RECORDS, AND IS ONLY AS ACCURATE AS IT WAS MAINTAINED BY THE FACILITY FOR THIS TIME PERIOD.

08/06/21

SLOC010

LOCATOR SYSTEM

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PAGE 006

CHRONOLOGICAL HISTORY DISPLAY

08 GRN HAVN GEN

DIN 00A1955 NYSID 04961825P FACILITY GRN HAVN ICP LOCATION 0J-05-006

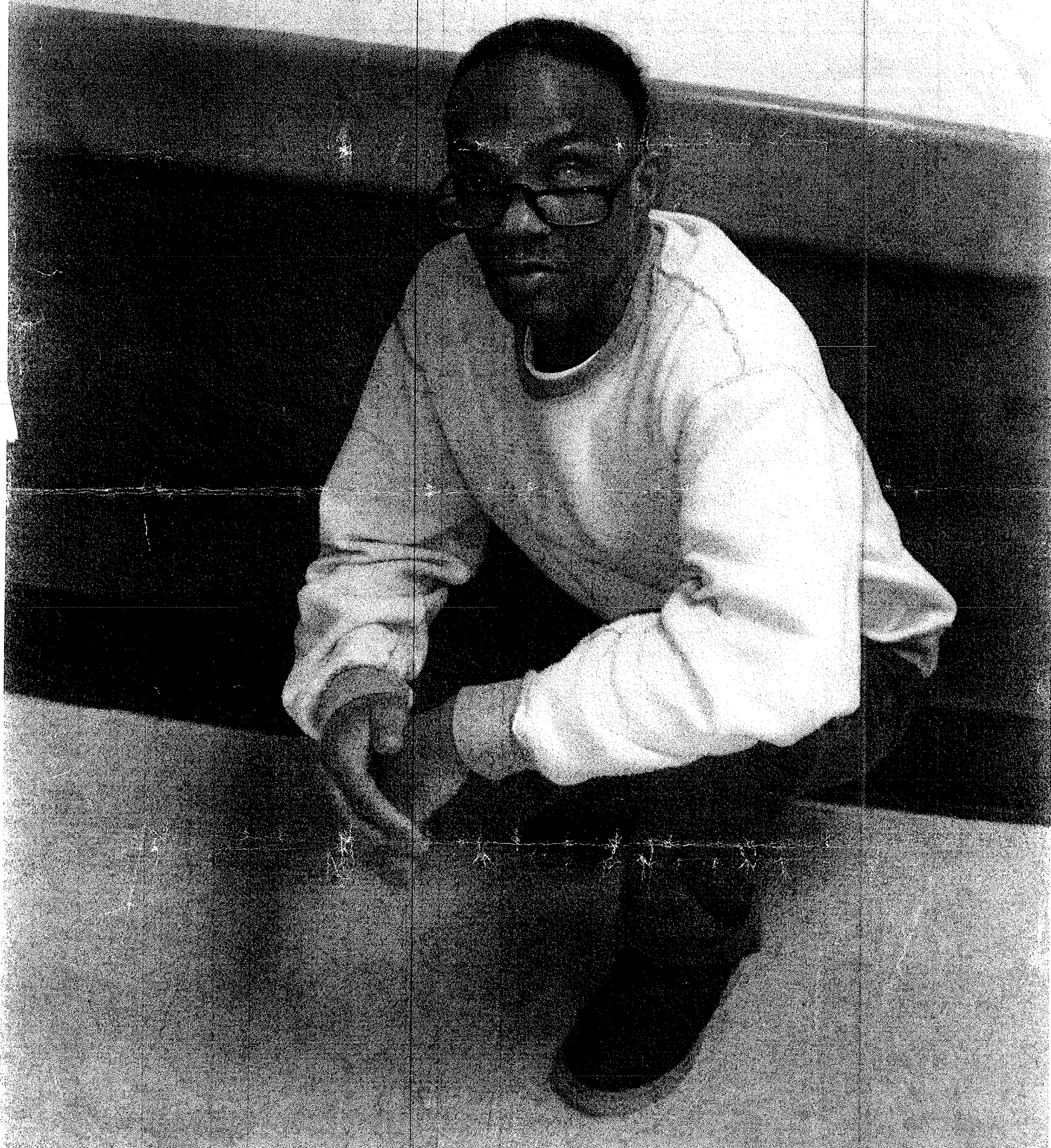
NAME GARDNER, PHILLIP

DOB 11/01/64 SEX M E/R NB

| EFFECTIVE DATE | DATE ENTERED | SENDING FACILITY | RECEIVING FAC/ OUTCOUNT LOCATION | TRANSACTION TYPE | CELL |
|-------------------|-----------------|---------------------|-------------------------------------|---------------------|------|
|-------------------|-----------------|---------------------|-------------------------------------|---------------------|------|

| | | | | | |
|----------|----------|--------------|--------------|--------------|-----------|
| 08/01/18 | 08/01/18 | WENDE ICP | GRN HAVN ICP | TRANSFER IN | 0J-06-011 |
| 03/26/19 | 03/26/19 | GRN HAVN ICP | GRN HAVN GEN | INTRANS SENT | AV-02-E05 |
| 03/26/19 | 03/26/19 | GRN HAVN ICP | GRN HAVN GEN | INTRANS RECV | HS-WD-J04 |
| 04/11/19 | 04/11/19 | GRN HAVN GEN | GRN HAVN ICP | INTRANS RECV | AV-02-E05 |
| 06/16/19 | 06/16/19 | GRN HAVN ICP | GRN HAVN GEN | INTRANS RECV | HS-WD-J01 |
| 06/19/19 | 06/19/19 | GRN HAVN GEN | GRN HAVN ICP | INTRANS RECV | AV-02-E05 |
| 08/03/19 | 08/03/19 | GRN HAVN ICP | GRN HAVN GEN | INTRANS RECV | HS-WD-J01 |
| 08/05/19 | 08/05/19 | GRN HAVN GEN | 1061 | OUTSIDE HOSP | HS-WD-J01 |
| 08/08/19 | 08/08/19 | | GRN HAVN GEN | OUTCOUNT RET | HS-WD-J01 |
| 08/09/19 | 08/09/19 | GRN HAVN GEN | GRN HAVN ICP | INTRANS RECV | AV-02-E05 |
| 01/14/21 | 01/14/21 | GRN HAVN ICP | GRN HAVN GEN | INTRANS RECV | 0A-03-334 |
| 01/25/21 | 01/25/21 | GRN HAVN GEN | GRN HAVN ICP | INTRANS RECV | AV-02-E11 |

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- 1 -

DEAR MS. SUNDACK, DATE: 5-26-21
(ATTORNEY AT LAW)

RE: PHILLIP JEROME GARDNER
00-A-1955

SUBJECT: I'm respectfully
requesting for
representation in a major
lawsuit.

I'm writing you this
letter requesting for
representation in a
major lawsuit concerning
my left eye.

I'm willing to pay
you 40 percent out of
the winnings.

I had a consultation
in my medical records
since 2000 for laser
surgery to remove a cataract.

-2-

COM...

FROM MY LEFT EYE WHICH
NEVER HAPPEN. I'M NOW
BLIND IN MY LEFT EYE. MY
PUPIL IN MY LEFT EYE IS
"GRAY" WHICH SUPPOSE TO BE
A BROWN LIKE MY RIGHT
EYE. I RECENTLY SUBMITTED
MY GRIEVANCE CONCERNING
MY LEFT EYE AND I EXHAUST
MY REMEDIES TO THE
SUPERINTENDENT AND TO
CORC (CENTRAL OFFICE).

I'M REQUESTING FOR
YOU TO GET A COPY OF
MY MEDICAL RECORDS AND
RESPECTFULLY REQUESTING
FOR AN ATTORNEY'S VISIT
FROM YOU AS SOON AS
POSSIBLE.

THANK YOU
RESPECTFULLY SUBMITTED

Phillip T. Gardner

SIVIN, MILLER & ROCHE LLP

Attorneys at Law
20 Vesey Street
Suite 1400
New York, New York 10007

Glenn D. Miller
Edward Sivin*
David Roche

Phone: (212) 349-0300
Fax: (212) 406-9462

Clyde M. Rastetter

*also member of NJ Bar

July 20, 2021

Legal Mail

Phillip Gardner (00-A-1955)
Green Haven Correctional Facility
594 Route 216
Stormville, NY 12582-0010

Dear Mr. Gardner,

Our office is in receipt of your letter dated July 12, 2021, regarding whether our office would be willing to represent you in connection with a potential claim against correction officers at Green Haven Correctional Facility .

Regretfully, we are not in a position to represent you in connection with claims discussed in your letter. We are a small firm and are necessarily limited in the number and types of cases we can take on at the moment. Our decision, of course, does not mean that your claims do not have merit. However, please be advised that there is a time limit for initiating a claim based on instances of injuries received as an inmate in prison. Therefore, if you are still interested in seeking representation, I suggest that you immediately contact another lawyer. If and when you have access to telephone use, one such way to pursue finding another lawyer would be to contact Prisoner Legal Services at 518-438-8046 or the New York State Bar Association Lawyer Referral Service at 1(800) 342-3661 and explain your situation.

Finally, I enclose herewith a summary of time limitations that applies to claims and lawsuits brought by inmates in New York correctional facilities that you should be aware of if you would like to proceed with litigation in regard to your claims.

Very truly yours,
SIVIN, MILLER & ROCHE LLP



Gabby Birzh
Legal Assistant

The Dratch Law Firm, P.C.

Stephen N. Dratch*
Julian Wilsey
Brian M. Dratch

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233 Broadway, Suite 1800
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email: BDRATCH@njcounsel.com

OF COUNSEL
Richard E. Mischel*
Adam D. Dratch*

* NJ & NY BAR
^ PA & CA BAR
+ CERTIFIED BY THE SUPREME COURT OF NJ
AS A MATRIMONIAL ATTORNEY
□ CERTIFIED BY THE SUPREME COURT OF NJ
AS A CIVIL TRIAL ATTORNEY

Writer's Direct Dial: (973) 533-7285

July 8, 2021

Phillip Jerome Gardner, DIN# 00A1455
Greenhaven Correctional facility
P.O. BOX 4000
Stormville, New York 12582-4000

Dear Mr. Gardner:

I would like to thank you for corresponding with our law firm with regard to your legal matter.

After a thorough review and careful consideration, unfortunately, our office will not be able to pursue a claim on your behalf. However, we are in no way offering any opinions as to the merits of your claim, but rather, simply stating that at this time, we are not able to handle this matter for you.

Please be advised that every case does have applicable time limitations within which you must commence a lawsuit or you could forever be barred from doing so. Thus, if you do decide to pursue this matter further, we advise you to contact another attorney immediately.

To the extent that you have provided us with any papers, I am enclosing them back to you herein. I thank you again for consulting with us in connection with this matter and we wish you only the best.

Very Truly Yours,

Brian M. Dratch /ni

BRIAN M. DRATCH

BMD/ni

BARCLAY DAMON^{LLP}

July 7, 2021

LEGAL MAIL

Phillip Gardner
DIN 00A1955
c/o Green Haven Correctional Facility
PO Box 4000
Stormville, New York 12582-4000

Re: Your Letter Dated June 22, 2021

Dear Mr. Gardner:

We received your letter dated June 22, 2021. Unfortunately, our firm is unable to assist you with your case. If you are pursuing a civil rights case, you may wish to consider filing a motion with the Court seeking the appointment of pro bono counsel or contacting the local bar association. If you are seeking to challenge your conviction or the conditions of your confinement, you may wish to consider contacting Prisoner's Legal Services of New York which has offices in Albany, Buffalo, Ithaca and Plattsburgh.

Very truly yours,

/s/ Barclay Damon LLP

Barclay Damon LLP

BD:



◀ WEISBERG & ZUKHER PLLC ▶

David E. Zukher, Esq.
Heather A. Vincent, Esq.

June 3, 2021

VIA FIRST CLASS MAIL

Phillip Gardner- DIN 00A1955
Green Haven Correctional Facility
PO BOX 4000
Stormville, NY 12582-4000

Re: Response to Letters Dated 5/28/2021.

Dear Phillip:

Thank you for contacting our firm regarding your potential personal injury matter. Unfortunately, based on the information obtained and the research performed our office will not be able to assist you in pursuing a lawsuit in your matter.


Litigation is extremely expensive, and we are faced with a variety of laws passed for the purpose of insulating such entities from liability. As such, our firm is limited as to the cases we can pursue.

If you are interested in getting a second opinion on your matter please be advised that there are a variety of statute of limitations that may affect your case. Although you did not discuss the date of the incident in your letter, please be advised that matters against government entities and municipalities have a ninety (90) day statute of limitations in which to file a Notice of Claim or Intent to File a Notice of Claim. As stated above, if you are interested in pursuing your claim you should contact another attorney as soon as possible to ensure your interests are protected.

IF YOU ARE INTERESTED IN PURSUING YOUR MATTER, WE HEREBY ADVISE YOU TO CONTACT ANOTHER ATTORNEY AS SOON AS POSSIBLE TO ENSURE YOUR LEGAL INTERESTS ARE PROTECTED.

My office is sincerely sorry that we cannot assist you. We wish you the best of health and success in the future. If you should have any questions, please do not hesitate to call.

Very truly yours,
WEISBERG & ZUKHER, PLLC.


David E. Zukher, Esq.

CUTI HECKER WANG LLP

305 BROADWAY, SUITE 607
NEW YORK, NY 10007

DEVON SCHMIDT
PARALEGAL
212.620.2618 TEL
212.620.2610 FAX

DSCHMIDT@CHWLLP.COM

May 27, 2021

Privileged and Confidential: Legal Mail

By U.S. Mail

Phillip Gardner, DIN: 00-A-1955
Green Haven Correctional Facility
P.O. Box 4000
Stormville, New York 12582

Dear Mr. Gardner:

I write in response to your request for legal assistance. Unfortunately, this firm is not in a position to help you. Our firm is one of limited resources and, regrettably, we are not able to represent every client who seeks our services.

Our decision not to represent you in no way means that you do not have a case. It simply means that our firm has made a judgment that we are not in a position to assist you at this time. If you are interested in pursuing your case, we encourage you to seek other counsel or proceed with the lawsuit *pro se*. Please be aware that there may be statutes of limitations and other deadlines that you need to comply with.

I am sorry that we cannot be of greater assistance. We wish you the best of luck.

Sincerely,



Devon Schmidt
Paralegal



New York Civil Liberties Union
125 Broad Street, 19th Floor
New York, NY 10004
(212) 607-3300
www.nyclu.org

Legal Intake Committee
July 8, 2021

Phillip J. Gardner
00A1955
Green Haven Correctional Facility
PO Box 4000
Stormville, New York 12582-4000

Re: Your request for an attorney

Dear Phillip J. Gardner:

We write in response to your letter to the New York Civil Liberties Union ("NYCLU") regarding your report of the inadequate medical care concerning your eye that you have received while incarcerated at Green Haven Correctional Facility. Unfortunately, we cannot provide you with the help you need. Please understand that our decision does not imply any judgment on the merits of your claim(s). As a private and non-profit organization with limited resources, we can accept very few matters and cases.

We do appreciate that you shared your experience with us and are very sorry for what you have endured. You have a right to adequate healthcare, and it is the responsibility of the New York State Department of Corrections and Community Supervision (DOCCS) to provide you with that care. Know that the NYCLU is deeply committed to seek criminal justice reforms to ensure medical treatment that addresses the needs for all people.

We have enclosed a list of other organizations and resources that you may want to contact and use as a reference for assistance in addressing your concerns. For more information on your right to adequate medical care in prison, you may want to refer to Chapter 23 of *The Jailhouse Lawyer's Manual* (JLM).

In the meantime, please be advised that in most circumstances, to preserve your right to file a lawsuit about treatment in your prison, you must first file a grievance with the appropriate person or entity in your prison within a certain time period and go through all the steps of your prison's grievance procedures. You may refer to your prison inmate handbook to determine its grievance procedure.

To increase your chances of obtaining relief in response to a grievance, please be sure to write out your complaint accurately and with great detail – listing exactly the issues of concern and answering as many of the "who, what, where, when, why and how" questions as you possibly can. Be careful not to overstate the facts or use inflammatory or disrespectful language in your complaint as it will undermine your credibility and, thus, reduce your chances of obtaining the relief you seek. Please be sure to specify what form of relief you are seeking.

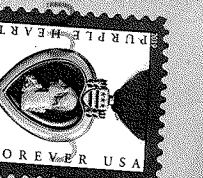
Finally, please be sure to keep copies of all papers you file and receive and comply with all filing deadlines (including appeals' deadlines if an appeal of the grievance determination is necessary). Some of the organizations on the enclosed list may be able to provide additional information and guidance regarding grievance procedures and any relevant time limits.

We are sorry to be unable to help you directly, and we wish you success in resolving this matter to your satisfaction.

Sincerely,

PHILIP J. GARDNER
00-71-1955
GREEN HAVEN CORR. FACILITY
P.O. BOX 4000
STORMVILLE, NY 12582-4000

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